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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/931,798

08/17/2001

Tatsuya Wakahara

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07/28/2006

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EXAMINER

WILDER, PETER C

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,798

Applicant(s)

WAKAHARA, TATSUYA

Examiner

Peter C. Wilder

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/17/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claims 1, 6, and 11 are amended.

Claims 2-5, 7-10, and 12-15 are original.

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 5, 6, 10, 11, and 15 are rejected under 35 U.S.C. 102(a) as being anticipated by Panasonic Model No PV-SS2710 (Date of reference on last page bottom right corner).

Referring to claim 1, Panasonic teaches an information processing device for displaying an electronic programming guide (Cover Page the TV with remote), comprising:

a display controller (Cover Page the remote control and Page 56)

a display being operable to provide in response to a control signal from said display controller representations of programs for a plurality of channels having a plural number of past programs each of whose broadcast time is prior to a present time, a

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plural number of present programs each of whose broadcast time contains said present time, and a plural number of future programs each of whose broadcast time is subsequent to said present time, said representation of each of said plural number of past programs currently in the display being in a first color, said representation of each of said plural number or present programs currently in the display being in a second color different from said first color, and said representation of each of said plural number of future programs currently in the display being in a third color different from said first and second colors (Page 24 bottom left corner Channel Guide Screen Later Shows is the same as future programs).

Referring to claim 5, depending on claim 1, Panasonic teaches displaying the current time in the program guide (Page 24 lower left hand corner figure, in the upper right hand corner of the figure the time 2:13 pm is displayed below KMTV 11).

Referring to claim 6, see rejection of claim 1.

Referring to claim 10, depending on claim 6, see rejection of claim 5.

Referring to claim 11, see rejection of claim 1 (Page 52 teaches software exists on the device so a recordable medium has to exist for the software to exist on).

Referring to claim 15, depending on claim 11, see rejection of claim 5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 7, 8, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasonic Model No PV-SS2710 in view of Borden IV et al. (U.S.6857128 B1).

Referring to claim 2, depending on claim 1, Panasonic teaches a display further includes a representation of a program selected by a user (Page 27 by the numbers 2 and 3 they teach highlighting), but fails to teach said representation of said selected program being displayed in a fourth color different from said first, second, and third colors.

In an analogous art Borden IV teaches said representation of said selected program being displayed in a fourth color different from said first, second, and third colors (Column 3 lines 45 – 47 teaches the highlight having a different background color than the original background color).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the three color program guide device of Panasonic

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using the different background color highlighted region function/device of Borden IV for the purpose of allowing the user to clearly see what program is highlighted for selection (Column 3 lines 45 – 46).

Referring to claim 3, depending on claim 2, Panasonic teaches a cursor, said cursor being located on said representation of said program selected by the user (Page 24 teaches the selecting of a show using the arrow buttons and on page 25 mentions selections are made by highlighting).

Referring to claim 7, depending on claim 6, see the rejection of claim 2.

Referring to claim 8, depending on claim 7, see the rejection of claim 3.

Referring to claim 12, depending on claim 11, see the rejection of claim 2.

Referring to claim 13, depending on claim 12, see the rejection of claim 3.

Claim 4, 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasonic Model No PV-SS2710 in view of Lemons (U.S. 6481011 B1).

Referring to claim 4, depending on claim 1, Panasonic teaches all the limitations of claim 1, but fails to teach the information processing device wherein said first, second and third colors are set according to the user's favorite colors.

In an analogous art Lemmons teaches the information processing device as claimed in claim wherein said first, second and third colors are set according to the user's favorite colors (Column 6 lines 10-13, Figure 10 shows the user is able to set the colors they want to related to each category).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the to modify the three color program guide device of Panasonic users favorite colors function/device of Lemmons for the purpose of allowing the user to set up a profile based on various preference attributes indicative of a user's interests (Column 1 lines 60-63, Lemmons).

Referring to claim 9, depending on claim 6, see the rejection of claim 4.

Referring to claim 14, depending on claim 11, see the rejection of claim 4.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter C. Wilder whose telephone number is 571-272-2826. The examiner can normally be reached on 8 AM - 4PM Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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